

Serial No. 09/746,124

- 7 -

Art Unit: 2633

REMARKS

Claims 1-23 are pending in this application, of which claims 1 and 14 are independent claims. Claims 1-8 and 12-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Simmons in view of prior art Fig. 1B. Claims 9-11 were objected to. Claims 1 and 14 are currently amended. Reconsideration is requested.

The Office indicated by way of objection that the recursive searching recited in any of claims 9-11 in combination with claim 1 distinguishes the cited art. While the specific recitations of those claims has not been inserted into claim 1, claim 1 has been amended to recite "recursively searching the plurality of light paths to identify possible circular segments; identifying, from the possible circular segments, a first set of light paths which yield the greatest number of circular segments." It is suggested that recursive searching to identify circular segments and organization of those segments to yield the greatest number of circular segments distinguishes the cited art in the manner already suggested by the Office. The advantages of the claimed invention over prior art techniques are discussed in detail in the specification at pages 20-21. Support for the claim amendments can be found throughout the specification, including in the Summary on page 5, lines 11-16, which states "the method aims to create as many circular segments among the set of light-paths in the OWDM ring network as possible ... in the first phase, a dynamic and recursive searching for all the possible circular segments among the light paths is employed." For the reasons stated above, withdrawal of the rejection of claim 1 is requested.

Claim 14 recites an optical network with limitations that are analogous to those described above with regard to claim 1. Hence, claim 14 is allowable for the same reasons stated above with regard to claim 1, and withdrawal of the rejection of claim 14 is requested. Claims 2-13 and

Serial No. 09/746,124

- 8 -

Art Unit: 2633

15-23 are dependent claims which further distinguish the independent claims, and are allowable for the same reasons stated with regard to claims 1 and 14. Withdrawal of the rejections of claims 2-13 and 15-23 is therefore also respectfully requested.

Serial No. 09/746,124

- 9 -


Art Unit: 2633

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Holmes W. Anderson, Applicants' Attorney at 978-264-6664 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

October 29, 2004
Date


Holmes W. Anderson, Reg. No. 37,272
Attorney/Agent for Applicant(s)
Steubing McGuinness & Manaras LLP
125 Nagog Park Drive
Acton, MA 01720
(978) 264-6664

Docket No. 061473/0270197 120-121
Dd: 11/09/2004